

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF MOTOR VEHICLES**



OFFICE OF THE DIRECTOR

June 5, 2023

The Honorable Charles Allen  
Council of the District of Columbia  
Chairperson, Committee on Transportation and the Environment  
The John A. Wilson Building  
1350 Pennsylvania Avenue NW  
Washington, DC 20024

Re: Letter dated May 25, 2023 concerning information sharing between DMV and DC Superior Court regarding the suspension or termination of driving privileges

Dear Councilmember Allen:

Thank you for the opportunity to provide additional information on data sharing between the Department of Motor Vehicles (DMV) and DC Superior Court (Court) and how that information is used to determine whether driving privileges should be suspended or terminated<sup>1</sup>. DMV is committed to ensuring that the data is freely shared among the two entities and recognizes the importance of the timely sharing so that appropriate action can be taken against a driver license.

I first want to explain the process that leads to the suspension or revocation of an individual's driver license. Driver licenses are suspended for up to 90 days due to the accumulation of 10 or 11 points on the traffic record. The points are a result of a finding of liability, conviction, or payment of tickets issued for a minor moving violation. Further, a license is suspended for the failure to pay child support or to submit required documentation from a medical provider.

Driver licenses are revoked either for the accumulation of 12 or more points or a conviction of certain offenses which require the mandatory revocation of the driver license<sup>2</sup> or upon the recommendation of a medical practitioner.

Additionally, a license may be revoked, if after being arrested and issued an Official Notice of Proposed Revocation by a law enforcement officer for a drinking and driving offense, the individual either fails to request an administrative hearing or after a hearing, the individual is found

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<sup>1</sup> Your letter speaks to the termination of driving privileges, DMV presumes you mean revoke or revocation of the driver license.

<sup>2</sup> Please see DCMR §§18-302 and 303.

liable and fails to timely enter into the ignition interlock program. The license is revoked until the person enrolls in the ignition interlock program. Once the person enrolls in the program, the individual pays a reinstatement fee and is issued a restricted license until completion of the program.

For a non-drinking and driving offense, after being revoked and serving the requisite time period, an individual must apply for reinstatement, and if approved, is required to take and pass both the knowledge and driving skills tests before a new license is issued.

Please find below DMV's responses to your questions.

**1. Under what circumstances can a judge temporarily suspend or permanently terminate an individual's driver's license or motor vehicle registration? Are there situations under which DMV can, or must, temporarily suspend or permanently terminate an individual's driver's license or motor vehicle registration absent a court order?**

DMV takes action against the license upon notification from a Court or administrative agency from any jurisdiction, that an individual has either been convicted or found liable of certain offenses, such as drinking and driving. Prior offenses will determine the length of the action against the license.

Effective December 19, 2022, a DC licensee convicted by a court or found administratively liable for a drinking and driving offense must enter the ignition interlock program. Failure to do so will result in a revocation of the driver license until the person enrolls in the program. While enrolled in the program, the individual will have a restricted license that only allows them to operate a vehicle with an ignition interlock device. Regardless of how long one is required to participate in the program, licenses are not fully restored until the individual successfully completes the ignition interlock program. The amount of time one is required to participate in the program can range from 6 months to 3 years depending on whether the individual has previous alcohol related offenses and the length of time between each offense. Additionally, if there are violations of the program requirements, the time the individual is required to have the ignition interlock device in their vehicle may be extended.

A person who has 3 alcohol-related offenses within 5 years shall have the license revoked, be unable to enroll in the ignition interlock program, and can seek reinstatement of the license after 5 years. Reinstatement after 5 years is not guaranteed.

**2. If a judge orders that an individual's driver's license or motor vehicle registration be suspended or terminated, how is DMV informed of the Court's decision?**

A conviction can serve as a catalyst for the suspension or revocation of a driver license. Currently there are multiple ways DMV is notified of a conviction. DC Superior Court sends notice of convictions electronically only. Other state courts and administrative tribunals notify DMV of convictions electronically as well as by email and regular mail. Convictions by drivers that hold

a commercial driver license are transmitted electronically to DMV through the Commercial Driver's License Information System (CDLIS).

**3. In FY21, FY22, and FY23 (year-to-date), how many times did DMV receive notice that a judge issued an order suspending or terminating an individual's driver's license or motor vehicle registration? In FY21, FY22, and FY23 (year-to-date), how many times did DMV suspend or terminate an individual's driver's license or motor vehicle registration absent a court order?**

In FY 21, DMV suspended or revoked 2,068 licenses. In FY 22, DMV suspended or revoked 1,915 licenses; and in FY 23 year-to-date, 1,029 licenses have been suspended or revoked.

**4. Does DMV have a mechanism to communicate to the Court confirmation of receipt of an order to suspend or terminate an individual's driver's license or motor vehicle registration and that the order has been executed? Does the DMV have a mechanism to separately confirm that it has received notice of all orders to suspend or terminate an individual's driver's license or motor vehicle registration that the Court has issued?**

Yes, DMV and the Court have a mechanism in place to confirm receipt and processing of data transfers between the entities. DMV and the Court use a secure file transfer protocol to transfer data between the Court's and DMV's servers. When a file is received, DMV processes the file and acknowledges receipt of the file by renaming the file and sending confirmation back to the Court. DMV does not have a separate process to confirm that all convictions have been received.

**5. In a Washington Post article, Court spokesperson Doug Buchanan was quoted as stating that the Court's IT system rejects data if certain identifiers are missing, leading to incomplete datasets. According to the Court, the DMV was notified of this issue "years ago," but has not established a process to rectify missing data, nor has the Court established a process to determine which data was not transferred. Can you describe the technical issue regarding missing data in greater detail, including when the issue was first raised with the DMV, the DMV's response, and any efforts the DMV or the Court have taken to resolve or work around the issue?**

Once a file is received from the Court, DMV processes the file and attempts to match the information to individuals in DMV's database. If the data in the file does not match the information in the DMV database, then DMV cannot process the file and must reject the information. As part of the confirmation process, when DMV acknowledges receipt of the file, DMV provides a status as to which files were successfully processed and those that were rejected. When the file is rejected, a rejection code is included.

The transfer process that was previously established has been in place for quite some time and discussions between DMV and the Court have resumed to address communication issues. Both

entities are reviewing all aspects of the transfer process to identify current and potential points of miscommunication. The discussions will be ongoing.

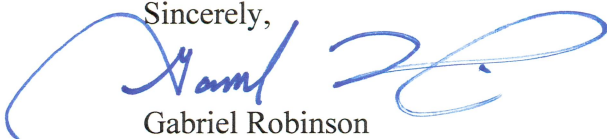
**6. During the roundtable, Deputy Mayor Babers stated that the Court did not inform the DMV of prior driving under the influence (“DUI”) convictions for Nakita Walker, the driver recently arrested for killing three people in a March 15, 2023 crash on Rock Creek Parkway. In a statement to local reporters, the Court affirms that it provided notice of the prior convictions to DMV and that the Court has subsequently provided DMV with confirmation of that transmission. Can you confirm whether DMV received notice from the Court of Ms. Walker’s prior DUI convictions and, if so, the date of that notification? If DMV does not have a record of having received notice of Ms. Walker’s prior convictions, what is DMV’s current understanding of why this notice was not received in DMV’s system?**

At the time of the roundtable, DMV had been unable to verify that the previous convictions had been electronically transferred to DMV; therefore, Deputy Mayor Baber’s statement during the roundtable was accurate. After the roundtable and in consultation with the Court, DMV searched and was able to confirm that the files were previously sent, but not properly processed. In researching the failure of the files to properly process, some technical changes to the files for transfer were discovered and these changes may have affected DMV’s ability to process the files. DMV and the Court are working to address the technical miscommunication.

DMV and the Court are committed to ensuring that conviction data is timely transferred and processed between the entities. Both entities are working to put in place safeguards to prevent future technical miscommunications. This includes enhanced monitoring of the files being transmitted and direct communication between the Court and DMV business process owners.

If you have further questions, please do not hesitate to contact me.

Sincerely,



Gabriel Robinson  
Director, Department of Motor Vehicles